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December 20, 2024

The Honorable Yvonne Gonzalez Rogers, U.S.D.J.
United States District Court for the Northern District of California
Oakland Courthouse
1301 Clay Street
Oakland, CA 94612

In re: Social Media Adolescent Addiction/Personal Injury Products Liability Litigation,
MDL NO. 3047 (4:22-md-03047-YGR)

Dear Judge Gonzalez Rogers,

I respectfully submit this application to be appointed to the Plaintiffs' Steering Committee ("PSC). This application is made with the encouragement and support of the Co-Leads and leadership of the subcommittee for school districts (collectively "Plaintiff's Leadership"). As set forth in detail below, I have spent the past year devoting a significant portion of my time, knowledge, experience, and the resources of my firm to advancing the interests of school districts and local government entities in this litigation. I welcome the opportunity to devote the entirety of my practice to advancing this litigation as member of the PSC of MDL 3047.

My firm represents dozens of school districts across Indiana and Kentucky, including one Bellwether case. Throughout this litigation, I have worked collaboratively with Plaintiff's Leadership, the subcommittee for school districts, and with counsel for other Bellwether cases to ensure that the claims of school districts and local government entities are advanced and prepared for trial and look forward to continuing to do so.

I. Professional Experience

I am an attorney at Hendy Johnson Vaughn ("HJV") in northern Kentucky. I have been admitted to practice law in Kentucky and Indiana since 2011 and 2012 respectively. I am admitted to the United States District Courts for the Northern and Southern Districts of Indiana, the Eastern and Western Districts of Kentucky, and the Northern District of Illinois and have been admitted *pro hac vice* to numerous federal courts where I have appeared.

As set forth in my attached *Curriculum Vitae* ("CV"), I have worked extensively and collaboratively on complex litigation throughout my career. As a result, I have repeatedly been asked by my peers to serve in non-Court appointed roles in the litigations that I have worked on. Prior to this litigation, I worked extensively in the *In re: Testosterone Replacement Therapy Litigation* (MDL 2545). I served as the Co-Chair of the Discovery Committee, a member of the Expert Committee, and as a member of the deposition and trial teams. Throughout this litigation, I co-wrote complex legal briefs, oversaw the conduct of electronic document review, conducted and assisted in numerous corporate and bellwether depositions, developed and worked with multiple experts, and supported and served on numerous Bellwether trial teams. Judge Matthew F. Kennelly can be contacted at the following:

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Last year, this Court appointed me to the subcommittee for school districts. CMO 6, D.N. 451, p. 4 (Nov. 21, 2023). Over the past year, I have worked collaboratively to advance this litigation. As a result of my work, I was asked by Plaintiffs' Leadership to co-chair the discovery subcommittee for the school districts and local government entities and be a member of the bellwether selection committee. I continue to devote more of my practice to this litigation as detailed by the graph of my hours below. I have primarily been involved in discovery, briefing, developing experts, and depositions, as well as preparing my Bellwether client's case for trial. I was honored to be asked by the Co-Leads to apply to the PSC and look forward to devoting the entirety of my practice to this litigation.

Sarah Emery	Expert Work	7.1
	KY Public Nuisance Jury Instructions	0.3
	Briefing and Discovery Drafting and Research	85.8
	LGE/SD Committee Work	20.3
	LGE/SD Discovery Work	59.4
	BW Selection Committee Work	4.5
	BW Common Benefit Work	546.7
	Total	724.1

II. WILLINGNESS AND ABILITY TO IMMEDIATELY COMMIT TO TIME-CONSUMING LITIGATION

If selected to serve on the PSC, it would be the sole priority of my practice until the conclusion of the litigation. I am not serving in a leadership or committee position in any other MDL or complex litigation and I would not be taking on any other MDL or complex litigation until the conclusion of this litigation.

III. WILLINGNESS AND ABILITY TO WORK COOPERATIVELY WITH OTHER PLAINTIFFS' COUNSEL AND DEFENSE COUNSEL

I pride myself on working not only productively, but also on a friendly basis with both my co-counsel and defense counsel as this is necessary not only for effective representation but also for the mental health of everyone involved. The fact that I work cooperatively with other counsel is demonstrated not only by the multiple roles that I have been asked to take already in this litigation, but also by the fact that I was asked by Plaintiff's Leadership to apply for appointment to the PSC for this litigation. Regardless of whether I am selected, I am committed to working cooperatively and collegially with both defense counsel and other plaintiffs' counsel.

**IV. ACCESS TO RESOURCES TO PROSECUTE THE LITIGATION IN
A TIMELY MANNER AND USE OF ANY LITIGATION FUNDERS**

I have access to the resources of my firm to support my abilities to prosecute this case in a timely manner. My firm has been involved in mass torts and multi-district litigation at the highest level for many years as Ron Johnson has been Co-Lead counsel in numerous MDLs. In that time, we have never failed to meet all financial commitments required of the litigation whether set forth in a court order or obligated by nothing more than a “hand-shake” agreement among colleagues jointly prosecuting a mass tort in multiple venues. Our firm financials are robust year and after year, and we would be pleased to provide such information reflecting that fact to the Court for its review. We have never used any litigation funders and will not use them with respect to this litigation.

In the course of this litigation, we have timely paid capital calls and advanced many of the costs for our Bellwether case. We believe in the importance of this litigation and will continue to timely meet capital calls for this litigation as well as ensuring that our Bellwether case is appropriately prepared with the additional funds required.

V. OTHER CONSIDERATIONS

Over the course of my career, I have been heavily involved in assisting Ron Johnson of my firm in his roles as Co-Lead Counsel or a member of a Plaintiffs’ Executive Committee or Plaintiffs’ Steering Committee with numerous non-Court appointed roles in litigations. I have been heavily involved in working collaboratively with other Plaintiffs’ counsel and productively with defense counsel in multiple MDLs and complex litigation. I was deeply honored by this Court’s decision last year to appoint me to membership on the subcommittee for school districts and by Plaintiff Leadership’s recent request that I apply for membership on the PSC.

Despite extensive experience in MDLs, I have never been appointed to a PSC and am honored to now be considered for the position with the support of my colleagues. I am confident that I bring both the skills that will help to advance this litigation, as well as knowledge of the case that I have gained working on this litigation. I sincerely appreciate the Court’s consideration of my application and, if selected, would be honored to serve on the PSC.

Very truly yours,

Sarah Emery

SARAH N. EMERY

Sarah N. Emery
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Professional Experience

- Hendy, Johnson, Vaughn PSC; Ft. Mitchell, KY (March 2010 - Present)

Admitted to the Practice of Law

- Kentucky 2011
- Indiana 2012
- Federal Courts: Western and Eastern Districts of Kentucky; Southern and Northern Districts of Indiana; Northern District of Illinois

Mass Torts and Multidistrict Litigation Experience

- ***In re: Social Media Adolescent Addiction / Personal Injury Products Liability Litigation, MDL 3047 (N.D. Ca.)*** Appointed to the subcommittee for school districts. Serving as Co-Chair of the Discovery Subcommittee for School District and Local Government Entities.
- ***In re: Testosterone Replacement Therapy Litigation, MDL 2545 (N.D. Il.)*** Served as Co-Chair of the Discovery Committee. Member of the Expert Committee. Served as a member of the deposition and trial teams. This case is settled.
- ***In re: Skechers Toning Shoes Litigation, MDL 2308 (N.D. Il.)*** Served as Electronic Discovery Liaison. Responsibilities included settlement negotiations. This case is settled.

Education

- **J.D., *summa cum laude*** 2011
Salmon P. Chase College of Law, Northern Kentucky University
Highland Heights, KY
- **B.A. Political Science, *magna cum laude*** 2007
Ball State University
Muncie, IN

Professional Memberships and Associations

- **American Association of Justice 2011 – Present**
- **Kentucky Justice Association 2011 - Present**
 - District Vice President: 2018 - 2024
 - Board of Governors Member: 2012 – 2024
 - Outstanding Board Member of the Year: 2016
 - Seminar Committee Chair: 2018
 - Fund Development Committee Chair: 2017 - 2022
- **Kentucky Bar Association, 2011 - Present.**
 - Attorney Advertising Commission Member, 2015 – 2021
 - Unauthorized Practice of Law Committee Member, 2021 - Present

Seminars and Lectures

- **Testosterone Replacement Therapy Litigation Update**, American Association for Justice (July 12, 2015).
- **FOIA Requests**, SeminarWeb (November 19, 2015).
- **Handling Your Mass Torts Case in House**, SeminarWeb (February 20, 2019).
- **My Case is Not About Reptiles: Responding to Defendants' Reptile MIL**, SeminarWeb (September 12, 2023).